

REMARKS

In the Office Action,¹ the Examiner rejected claims 9-12, 15-18, 27, and 28 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,289,314 to Matsuzaki et al. ("*Matsuzaki*"); rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki*; rejected claims 19-24, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of U.S. Patent No. 5,671,412 to Christiano ("*Christiano*"); and rejected claims 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of *Christiano*, and further in view of U.S. Patent No. 6,502,124 to Shimakawa et al. ("*Shimakawa*").

Applicant respectfully requests entry of the amendments to the specification which correct minor typographical errors.

Applicant respectfully traverses the rejection of claims 9-12, 15-18, 27, and 28 under 35 U.S.C. § 102(e) as being anticipated by *Matsuzaki*. *Matsuzaki* fails to disclose each and every element of Applicant's claims.

Independent claim 9 recites an information processing apparatus including, for example, "usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible." The Examiner argues that *Matsuzaki* teaches the usage details of claim 9 in Fig. 5 because "the [terminal encryption] key determines [whether] control transfer is possible, and the screen size and installation place determine how the contents can be reproduced." See Office Action, page 3. Applicant

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

respectfully disagrees and submits that the “terminal encryption key”, “screen size”, and “installation place” of *Matsuzaki* do not teach or suggest “usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible,” as recited in claim 9.

Fig. 5 of *Matsuzaki* illustrates terminal information storing portion 252 which stores “terminal encryption key”, “installation place”, “screen size”, and “coefficient of basic charge.” See *Matsuzaki*, col. 15, lines 39-42. The “terminal encryption key” is used to encrypt the “internal scramble key.” See *Matsuzaki*, col. 16, lines 14-16. The “internal scramble key” is used for scrambling the pay information transmitted to the terminal. See *Matsuzaki*, col. 16, lines 6-8. The “coefficient of basic charge” is used to calculate the charge for the information sent to the terminal. See *Matsuzaki*, col. 20, lines 3-6. The “screen size” and “installation place” are attributes of the terminal; these attributes can be used for flexible charge calculation. See *Matsuzaki*, col. 4, lines 32-34. For example, a terminal with a large “screen size” and whose “installation place” is a living room is assumed to be used by a plurality of users, and therefore the “coefficient of basic charge” is set to a high value such as 1.5. See *Matsuzaki*, col. 17, lines 22-27.

In the Applicant’s exemplary embodiments, the “Usage Details” may contain “ID”, “Type”, “Parameter”, and “Control Transfer Permission Information.” See Specification, page 28, lines 10-11. The “Control Transfer Permission Information” may be set to either ‘Permitted’ or ‘Not-Permitted’ indicating whether a transfer of contents is permitted. See Specification, page 30, lines 4-8. “Type” may indicate the use type (reproduction or duplication) of the contents such as ‘Purchase and Reproduce’,

'First-Generation Duplicate', 'Limited-Time Reproduction', and 'Pay Per Copy.' See e.g., Specification, page 29, lines 23-25.

The "terminal encryption key" of *Matsuzaki* may be used for encryption security, but does not indicate "whether control transfer [of contents] is possible," as recited in claim 9. Furthermore, the "screen size" and "installation place" of *Matsuzaki* may be used to calculate the charge for the contents, but do not indicate "how [the] contents can be reproduced or duplicated," as recited in claim 9. Therefore, *Matsuzaki* does not teach or suggest "usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible," as recited in claim 9. For at least this reason, *Matsuzaki* fails to anticipate claim 9.

Independent claims 11, 17, 27, and 28, although different in scope than claim 9, are not anticipated by *Matsuzaki* for at least the same reasons independent claim 9 is not anticipated by *Matsuzaki*. In addition, Applicant submits that dependent claims 10, 12, 15, 16, and 18 are also not anticipated by *Matsuzaki* at least by virtue of their dependence from allowable independent claims 9, 11, or 17. Therefore, the rejection of claims 9-12, 15-18, 27, and 28 under 35 U.S.C. § 102(e) as anticipated by *Matsuzaki* should be withdrawn.

The remaining rejections in the Office Action (rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki*; rejection of claims 19-24, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of *Christiano*; and rejection of claims 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of *Christiano*, and further in view of *Shimakawa*) all depend on *Matsuzaki*, and should be withdrawn in view of the above discussion.

Matsuzaki fails to teach or suggest "usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible," as recited or similarly recited in independent claims 9, 11, 17, 19, 21, 24, 25, 27, 28, 30, and 31, and required by dependent claims 10, 12, 13, 15, 16, 18, 20, and 25.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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